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10001 Richmond Avenue				
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EXAMINER				
LOBO, IAN J				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/529,186

Applicant(s)

GOUJON ET AL.

Examiner

Ian J. Lobo

Art Unit

3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 13-20, 24 and 29-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 13-17, 19, 20, 24, 29-32 and 34 is/are rejected.
- 7) ☒ Claim(s) 18 and 33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/05, 5/07
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. The restriction requirement, in view of the amendments to the claims and the arguments presented therewith, has been retracted. The current office action will focus on the merits of claims 1-10, 13-20, 24 and 29-34, all the claims in the current case.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4, 6-10, 13, 14, 16, 17, 24, 29, 30 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Woodworth ('916).

Per claims 1 and 29, Woodworth discloses a seismic cable (see Figs. 1 and 2) that includes a tension support cable (11), a signal cable (22) attached to the support

cable at a plurality of points spaced along the length of the signal cable, and at least one sensor (13b) disposed on the signal cable.

Per claims 4 and 10, see col. 2, lines 5+.

Per claims 6-9 and 30, see Figs. 2 and 4.

Per claims 13 and 14, see sensor modules (13b) and electronics modules (13a).

Per claims 16, 17 and 32, see Fig. 2.

Per claim 24, see Fig. 5.

4. Claims 1-10, 13, 14, 16, 17, 24, 29, 30 and 32 are rejected under 35 U.S.C. 102(a and/or e) as being anticipated by Lunde et al ('111).

Per claims 1 and 29, Lunde et al discloses a seismic cable (see Fig. 1) that includes a tension support cable (32), a signal cable (36) attached to the support cable at a plurality of points (38b) spaced along the length of the signal cable, and at least one sensor (30) disposed on the signal cable.

Per claims 2 and 3, see jacket (39).

Per claims 4, 5 and 10, see strengthening members (32).

Per claims 6-9 and 30, see elements (36a, 36b and 36c).

Per claims 13 and 14, see sensor modules (30) and electronics modules (34).

Per claims 16, 17 and 32, see Fig. 8.

Per claim 24, see Figs. 8 and 9.

5. Claims 1, 19, 20, 29 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuppenbach ('276).

Per claims 1 and 29, Kruppenbach discloses a seismic cable (see Fig. 2) that includes a tension support cable (30), a signal cable (14) attached to the support cable at a plurality of points spaced along the length of the signal cable, and at least one sensor (12) disposed on the signal cable.

Per claims 19, 20 and 34, see element (22)

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 5 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 which depends upon claim 4 recites "a second sheath". However, there is no antecedent language for a first sheath in claims 1 and 4.

Claim 9 which depends upon claim 1 recites "a third sheath". However, there is no antecedent language for a first and second sheath.

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 15 and 31 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Fig. 4 in the instant specification recites a "zipper mechanism". However, with respect to the instant claims that recite a support cable, sensor, electronics module and signal cable, it is unclear from the specific recitation of the zipper mechanism as to what such mechanism is and how it functions.

Allowable Subject Matter

10. Claims 18 and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian J. Lobo whose telephone number is (571) 272-6974. The examiner can normally be reached on Monday - Friday, 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H. Tarcza can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ilan J. Lobo/
Primary Examiner
Art Unit 3662